

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

In Re: Jeremiah and Joanne Evarts  
Debtors

Case No. 05-12681-JMD  
Chapter 13

MOTION TO ALLOW CLAIMS

NOW COMES the Trustee and files this motion pursuant to the terms of the previously entered Order Confirming Chapter 13 Plan.

Note: The number assigned to each claim listed below corresponds to that claim's listing in the Court's Registry of Claims. Those claims denoted with an asterisk (\*) are to be allowed, although they are not listed in the Court's Registry of Claims.

I. Allowance of Claims. The Trustee moves for an order allowing claims as follows:

1. Total Proposed Payments from Debtor (plus any annual refunds in excess of \$1,200.00)	\$1,800.00
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2. Chapter 13 Trustee Fees and Expenses:	\$180.00
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A. Secured Claims. The following filed secured claims shall be allowed and paid by the Trustee from the funds submitted by the Debtor. To the extent that the allowed amount reflects arrearages to cure defaults pursuant to 11 U.S.C. Sec. 1322(b)(3), any defaults shall be cured upon payment of the allowed amount plus applicable interest; the underlying security interest remains unimpaired. To the extent that the allowed amount reflects full payment of the secured claim pursuant to the plan, the security interest is discharged upon payment of the allowed amount and any applicable interest in full.

Regarding any secured claim listed here for which the debtor(s) have proposed that the creditor retain its lien, should subsequent events occur by which relief is granted and the collateral is liquidated, and should the creditor seek to then assert an unsecured deficiency claim to be paid in this case, said creditor shall move to amend its allowed secured claim so that its unsecured deficiency claim may be determined to be an allowed unsecured claim for plan distribution purposes.

**Secured and/or Priority Claims paid directly by the Debtor:**

N/A

**Secured and Secured Arrearage Claims Paid Through the Plan:**

5. Nationstar Mortgage, LLC	143.46
<b>TOTAL SECURED AND SECURED ARREARAGE CLAIMS:</b>	<b>\$143.46</b>

**Modified Secured Claims:**

N/A

<b>TOTAL MODIFIED SECURED CLAIMS:</b>	<b>\$0.00</b>
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**Secured Claims with surrendered collateral, not paid by the debtor or through the Plan:**

N/A

B. Priority Claims. The following filed priority claims shall be allowed and paid by the Trustee from the funds submitted by the Debtor:

**Priority Claims Paid Through the Plan:**

N/A

**TOTAL PRIORITY CLAIMS: \$0.00**

C-1. General Unsecured Claims. The following filed general unsecured claims, and amounts deemed unsecured pursuant to the modification of certain secured claims cited in Paragraph A. above, shall be allowed and paid by the Trustee from the funds submitted by the Debtor:

1.	Bernstein, Shur, Sawyer & Nelson PA	10,361.00
2.	River Valley Country Day School	150,000.00
3.	Sovereign Bank	1,242.00
6.	Boisvert Plumbing	2,983.00
7.	ECMC	7,516.00

**TOTAL UNSECURED CLAIMS: \$172,102.00**

C-2. The following Proofs of Claim are purported to be unsecured claims which cannot be identified when compared to the expected claims listed in the Schedule. Each shall be allowed and paid by the Trustee from the funds submitted by the Debtor(s), unless successfully objected to by the Debtor(s):

N/A

**TOTAL UNIDENTIFIED UNSECURED CLAIMS: \$0.00**

II. The Chapter 13 Trustee represents that the previously Confirmed Plan remains feasible based on the following:

1.	Total Proposed Payments from Debtor	\$1,800.00
2.	Distributions Under Plan	
	Trustee's Fees (10% of total)	180.00
	Total Secured Arrearage Claims	143.46
	Total Modified Secured Claims	0.00
	Attorney's Fees payable through the Plan	0.00
	Total Priority Claims	0.00
	Estimated Total Remainder for Unsecured Claimants	\$1,476.54
	Total Identified General Unsecured Claimants:	172,102.00
	Total Unidentified General Unsecured Claimants:	0.00
	<b>SUBTOTAL:</b>	<b>\$172,102.00</b>

(less than 1% to be disbursed to unsecured claimants)

WHEREFORE, the Trustee prays that the Motion to Allow Claims be granted and that the Court afford the relief sought.

Date: February 20, 2013

/s/ Lawrence P. Sumski  
Chapter 13 Trustee